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Post-Auction Repacking Process

How will the repacking process work?

“Repacking” involves reorganizing television stations in the broadcast television bands so the stations remaining on the air after the incentive auction occupy a smaller portion of the Ultra High Frequency (UHF) band, thereby freeing up a portion of that band for new wireless services use.

The process includes the following steps:

1. Full Power/Class A stations receive a confidential letter from the Federal Communications Commission (FCC) with their new station channel assignment and assigned transition phase in the repacking plan. The FCC releases the list of all stations to be repacked and their assigned channels in the Auction Closing and Channel Reassignment Public Notice (CCRPN).
2. The Media Bureau assigns each Full Power/Class A station a transition deadline and stations coordinate their move with other broadcasters to ensure a coordinated effort and limit interference by others.
3. Full Power/Class A stations estimate the costs they will likely incur to move to their post-auction channel on FCC Form 2100, Schedule 399 (Form 399 or Reimbursement Form) and submit this to the FCC no later than 90 days after the CCRPN is released
4. Full Power/Class A stations submit a Construction Permit (CP) for their post-auction channel no later than 90 days after the Channel Allocation PN is released. The CP does not have to be submitted at the same time as the Reimbursement Form.
5. The Media Bureau reviews estimates and calculates an initial allocation for each eligible station. There may be more than one allocation, depending on demand and the availability of funds.
6. Repacked Full Power/Class A stations use the Reimbursement Form to submit cost documentation for reimbursement as expenses are incurred.
7. Full Power/Class A stations complete construction, file final cost documentation for reimbursement, and file a License to Cover.

8. Stations must maintain adequate records in case of an audit.

When must auxiliary construction permits be filed?

Construction permits (Form 2100, Schedule A) for auxiliary facilities may be filed on an as needed basis.

Payment Process

How will stations receive reimbursement payments?

Stations will receive reimbursement via Automated Clearing House (ACH) payments from the U.S. Treasury into the bank account they identify on Form 1876.

How do I know how much was allocated for my Full Power/Class A station or Multichannel Video Programming Distributor (MVPD)?¹

An entity can view its allocation through the FCC's Commission Registration System (CORES) (available at: <https://www.fcc.gov/licensing-databases/fcc-registration-commission-registration-system>). The entity's Authorized Agent(s) will see the exact amount allocated in the "Auction Payments" component of the CORES Incentive Auction Financial Module.

How does a station submit bank account information to receive payments?²

Each repacked Full Power/Class A station or MVPD must file FCC Form 1876 to provide bank account information prior to receiving reimbursement payments by completing the following three steps:

1. First, the Full Power/Class A station's or MVPD's FCC Registration Number Administrator (FRN Administrator) must log in to the Commission Registration System (CORES) Incentive Auction Financial Module (CIAFM) and enter all requested information. The CIAFM will then generate a Form 1876 PDF. The CIAFM will not allow the Form 1876 to be printed unless all required fields are completed.
2. Second, a person with authority to bind the Full Power/Class A station or MVPD (e.g. a corporate officer or owner) must sign the completed, printed Form 1876, have it notarized, and mail the original signed and notarized Form 1876, along with a bank account verification letter or a redacted bank statement (dated within six months of the signature on the Form 1876) that confirms ownership of the account for each Facility ID (reassigned station) or File Number (MVPD) receiving reimbursement, to the Commission at the address set forth in paragraph 5 below. Upon receipt of the notarized Form 1876, an email notification will be sent to the Eligible Entity when the FCC receives the Form 1876.
3. Third, after FCC staff has determined that all required information has been provided on the Form 1876, an email notification will be sent to the Full Power/Class A or MVPD explaining that the Authorized Agents(s) have 10 business days to review and verify bank account information for that Facility ID/File Number in the CIAFM. If an Authorized Agent

¹ Added December 20, 2017

² Updated October 3, 2019

determines that the bank account information is incorrect, the Eligible Entity must submit a new Form 1876. No reimbursement payment will be made if the bank account information in the CIAFM is not verified by an Authorized Agent.

Can stations elect to have reimbursement payments sent directly to their vendors?

No, payments from the TV Broadcaster Relocation Fund can be made only to repacked broadcasters and MVPDs that incur expenses associated with continuing to carry the signal of repacked stations. Those entities must have a completed Form 1876 on file with information about the bank account into which the reimbursement payments will be made. Equipment vendors and service providers cannot be paid directly from the TV Broadcaster Relocation Fund.

How quickly will a station receive a reimbursement payment?

After the Commission makes an initial allocation for each relocating station, a station can draw down against its individual allocation amount. Invoices for incurred expenses that are submitted on Form 399 will be reviewed by the Media Bureau's Fund Administrator and approved payment requests will be sent from the Commission to the U.S. Treasury for disbursement. There are many variables that affect the timing of receipt of payments. Stations can facilitate timely processing of requests by ensuring the accuracy of all information entered on the form and attaching any explanatory and/or documentary materials needed to justify an expense. The Station also must have completed the Form 1876 process so approved payments can be transferred to the station's bank account.

What information must a vendor invoice submitted for reimbursement contain?³

Invoices submitted by Full Power/Class A stations and MVPDs for reimbursement must include the following information:

- Name of the vendor providing the service or equipment;
- Invoice number (assigned by the vendor);
- Invoice date;
- Payment due date;
- Employer Identification Number (EIN) or Taxpayer Identification Number (TIN) of the vendor;
- Description of the service provided, or equipment purchased;
- Total amount due; and
- Name of the Full Power/Class A station licensee and call sign, or facility ID, or name of the MVPD incurring the expense.

³ Added June 30, 2017

If a submission is deemed reasonable after the estimate review phase, will it also be considered reimbursable when the Full Power/Class A station or MVPD files an actual reimbursement claim?⁴

During the estimate review phase, the Fund Administrator will conduct a detailed review of all estimates submitted. If the Fund Administrator identifies any missing required documentation or has any questions, it will send an email to the station or MVPD, which will have five business days to provide a response. The Fund Administrator will also send an email notification when the review is complete. This notification will inform the entity whether any estimated expenses were determined to be unreasonable and, thus, not reimbursable, or whether any estimate that exceeds the cost catalog prices was not justified.

If a station later submits an invoice requesting reimbursement for an expense that was included in its estimate submission and was deemed reasonable, that expense will be reviewed for sufficiency of documentation (*e.g.*, invoice) and consideration of whether the station or MVPD made any changes in transition plan, station construction, or equipment or service purchased.

If the actual cost of the equipment or service has increased above what the station estimated, or the station purchases equipment or services that are different from what it reported when it submitted its cost estimates, the station will be asked to revise and resubmit its estimate to reflect its updated understanding of its expenses. The Fund Administrator will review this documentation and recommend payment for those revised expenses deemed reasonable. Payments for reasonably incurred expenses that have sufficient documentation will be made, subject to availability of funding.

Must my invoices be paid in full prior to submitting them?⁵

It depends on whether the invoice is for equipment or services. You do not need to pay an equipment invoice before submitting it for payment with Form 399. The invoice must show that a valid payment is *owed* and *due* on a particular date. All invoices must contain a payment *due date* in addition to the other metadata requested in the Costs section of the Form 399.

Many reimbursable expenses will be billed and owed in installments. You can submit invoices and other cost documentation as payment of each installment is requested by the vendor. (**Note:** this scenario is illustrated in the “Documenting Actual Reimbursement Costs & Uploading Invoices to Your Form 399” tutorial video.) The Add Component page permits you to specify the portion of the invoice – by percentage or dollar amount – for which you are requesting reimbursement. For example, if 10% of the total amount of the sales order is reflected on the invoice with a specific date due, the Form 399 allows you to request reimbursement for only that 10% that is due, and to return to the expense to add further cost documentation to the same line item when additional installments become due. You can add subsequent invoices to the expense line item at a later date.

⁴ Added June 30, 2017

⁵ Added December 20, 2017

Do professional services need to be performed prior to being submitted for reimbursement?⁶

Yes, all professional services, including legal, engineering, and project management services, must be performed before the associated costs can be submitted for reimbursement. Professional services billed in advance or on retainer may not be submitted for reimbursement.

What if my station sells or monetizes the old equipment?

Stations are required to reuse old equipment where possible. If a station receives an economic value for selling or scrapping its old equipment, it's the responsibility of the station to remit those funds to the FCC as a reduction of eligible reimbursement.

What do I do once the station has transitioned to its assigned post-auction channel?⁷

You should respond "Yes" to the question "The facility has ceased operating on its pre-auction channel" within the Reimbursement Status section of Form 399. This should be marked "Yes" even if the station is currently operating on its post auction channel on interim facilities.

What do I do once construction on my project is complete?⁸

You should respond "Yes" to the question "Construction of final facilities or all necessary modifications are complete" within the Reimbursement Status section of Form 399. Indicating "Yes" alerts the Fund Administrator that you have completed construction. Answering "Yes" to this question will not lock your account. You will still be able to upload invoices and receive reimbursement.

What do I do once I have uploaded all the invoices for my construction project and I am ready to close-out my reimbursement account?⁹

Once you have submitted all invoices and are ready to close out your account, answer "Yes" to the question "All receipts for reimbursement have been submitted no further costs are expected to be incurred. Note this will lock the Form 399 from further editing and begin close-out procedures with the Fund Administrator" within the Reimbursement Status section of Form 399. When you have answered "Yes" to this question and the two previous questions described above within the Reimbursement Section of Form 399, you will trigger the close-out procedures. Close-out procedures start with a reconciliation of your account (but will not prevent additional allocations if your station is entitled to more money).

What does the Close-Out stage entail?¹⁰

Close-out is triggered when the station has answered "Yes" to all three questions discussed in the three questions above within the Reimbursement Status of Form 399, indicating to the Fund

⁶ Added December 20, 2017

⁷ Added April 7, 2020

⁸ Updated April 7, 2020

⁹ Updated April 7, 2020

¹⁰ Updated April 7, 2020

Administrator that the project is complete and all invoices have been submitted. The following steps will then occur:

- The Reimbursement Form will be locked, and the station will not be able to submit additional supporting documentation via LMS;
- The Fund Administrator will then process any pending invoices and produce a Financial Reconciliation Statement. The Fund Administrator will send the Financial Reconciliation Statement to the station for review and concurrence via FCCFundadmin@fcc.gov;
- The Fund Administrator will also identify a sampling of invoices for which the station will need to provide proof of payment (proof of payment might consist of copies of cancelled checks, banking institution statements detailing the disbursement, wire or electronic fund transfer confirmations, credit card statements, or other relevant third-party evidence or banking information);
- Any remaining eligible reimbursement amounts above the existing allocation amount will be held until further allocation of funds, if any;
- The Fund Administrator will send the station an Interim Close-out Packet including Interim Close-out Letter and accepted Financial Reconciliation Statement; and when the Fund is exhausted or the reimbursement program is completed for all stations, a Final Close-out Letter will be sent to the station.

Can a station be reimbursed for costs incurred after entering the Interim Close-Out Stage¹¹

Once stations have entered the Interim Close-Out stage, additional requests for payment cannot be submitted as the Reimbursement Form will be locked. However, stations may request a preliminary Financial Statement Reconciliation Statement by emailing FCCFundAdmin@fcc.gov, and submit any incurred expenses associated with the review of that preliminary statement. This request must be executed prior to entering the Interim Close-Out stage described above.

As described above, as part of Close Out stations will also need to provide proof of payment for a selection of reimbursed invoices. If a station requests a preliminary reconciliation statement for review, the Fund Administrator will not request proof of payment for a sampling of invoices at that time. Assembling proof of payment documentation will not be reimbursed by the Fund; the station bears responsibility for all labor required for gathering proof of payment after the Interim Close-Out stage is initiated.

In the case that a more thorough investigation of the station's invoice submissions or reimbursements is required, the station's Form 399 may be re-opened and additional billing may be allowed. A station has an ongoing obligation to retain documentation supporting its requests for reimbursement for a period that extends 10 years after the date it receives its final payment from the Reimbursement Fund.

¹¹ Added April 22, 2020

Estimates and Allocations

What is the purpose of submitting cost estimates?

Repacked Full Power/Class A stations must identify both their existing equipment and the equipment and services they intend to purchase to complete the post-auction channel transition. A station's estimated transition cost will serve as the basis for an initial allocation, or amount of money set aside from the TV Broadcaster Relocation Fund against which the station can draw from as it submits reimbursement requests for incurred costs.

How should stations estimate their costs?

A station may either submit an amount within the price range in the Cost Catalog for equipment or services or rely on a price quote from a vendor. For any expenses not listed in the Cost Catalog, the station must submit supporting documentation to justify its cost estimate.

If a station intends to purchase upgraded equipment, it should check the "upgrade" box and provide an estimate for both the comparable and the upgraded equipment.

When must a Full Power/Class A station or MVPD check the upgrade box on the Reimbursement Form?¹²

A Full Power/Class A station or MVPD must check the upgrade box on the Reimbursement Form when submitting its cost estimates and filing reimbursement requests for upgraded, or alternative, equipment as compared to its pre-auction equipment. Full Power/Class A stations and MVPDs will be responsible for paying the difference between the cost of the upgraded equipment and the equipment comparable to their pre-auction equipment. If the upgraded equipment is less expensive than the comparable equipment, the entity will be reimbursed for the lower-cost option. Reimbursement-eligible stations or MVPDs must still check the upgrade box when the upgraded equipment is less expensive than the non-upgraded equipment, to indicate they are purchasing a different type of equipment than they had pre-auction.

Must a Full Power/Class A station or MVPD purchasing an upgrade obtain a price quote for comparable equipment?¹³

Yes, an entity that checks the upgrade box must submit a price quote that shows the cost of equipment that is comparable to its existing pre-auction equipment. The price for the comparable equipment will be used at the estimated cost phase to calculate the entity's initial allocation. Once the entity purchases the upgraded equipment, it will submit the vendor invoice for the actual, upgraded equipment purchased, but will be reimbursed for the price of the comparable equipment (unless the price of the upgraded or alternate equipment is less). The price quote for the comparable equipment should be from the same vendor that is providing the upgraded equipment the entity is actually purchasing.

¹² Added June 30, 2017

¹³ Added June 30, 2017

In addition to checking the upgrade box, what should a Full Power/Class A station or MVPD enter on the Reimbursement Form for upgraded equipment?¹⁴

Enter only the equipment the entity intends to purchase, check the upgrade box, and provide an estimated cost for the comparable pre-auction equipment.

How will cost estimates be evaluated?

The Fund Administrator will review each cost estimate for reasonableness and may contact the station for clarification or additional information.

Is an entity's allocation applied as a percentage of that entity's total verified estimated cost or is it applied on a line item level? For instance, can an entity only draw down a percentage of its total antenna cost even if the cost is fully incurred?¹⁵

Through the allocation, entities have access to a certain percentage of their total verified estimated cost. Approved invoices will be paid in full until such expenses exhaust the allocation amount. Thereafter, additional expenses will be paid only after subsequent allocations are made.

Reimbursable Expenses

How does a station submit claims for reimbursement of expenses?

Stations must submit FCC Form 2100, Schedule 399 (Reimbursement Form or Form 399) accessible via LMS.

What standard will be applied to determine whether a cost is reimbursable?

The Spectrum Act provides that Full Power/Class A stations reassigned to new channels following the Incentive Auction be reimbursed from the TV Broadcaster Relocation Fund for costs “reasonably incurred” as a result of the mandatory channel change. The Media Bureau developed the Cost Catalog, with the input of the industry, to provide guidance on a range of market prices for expenses that many stations will incur as they move to a new channel. A station’s request for payment will be evaluated based on whether the expense was “reasonably incurred” using comparison to the price ranges in the Cost Catalog, comparison to similarly situation stations, and considering any justification or explanation provided by the station. The approval process is designed to ensure reasonably incurred expenses are paid while at the same time guarding against waste, fraud, and abuse associated with the disbursement of federal funding.

Specifically, with regard to equipment costs, the Commission also found stations should be reimbursed for equipment that is comparable to their pre-auction equipment. Stations may choose to upgrade equipment and pay the difference between the cost of reimbursable, comparable equipment and the cost of upgraded equipment.

Can equipment upgrades be paid for by the TV Broadcaster Relocation Fund?

No, Full Power/Class A stations will be reimbursed only for the cost of modifying or purchasing

¹⁴ Added June 30, 2017

¹⁵ Added December 20, 2017

equipment that is comparable to their pre-auction equipment. The difference between the cost of comparable equipment and upgraded equipment is not reimbursable.

- The Commission will not provide reimbursement for optional features beyond those already present in the station's existing facilities. However, the Commission understands that some stations may not be able to replace older, legacy equipment with equipment that is precisely comparable in functionality because of advances in technology.
- Stations should reuse their own equipment to the extent possible. If a station seeks reimbursement for new equipment, it must provide a justification when submitting cost estimates as to why the cost to purchase new equipment is "reasonably incurred."

What is the process for purchasing upgraded equipment?

Full Power/Class A stations may purchase whatever type of equipment they choose to operate on their post-auction channel. However, reimbursement from the TV Broadcaster Relocation Fund is available only for the purchase of comparable equipment; therefore, a Full Power/Class A station upgrading its equipment (such as adding elliptical polarization to an antenna) must indicate this by checking the "upgrade" box on the Reimbursement Form for each applicable equipment category. (Retuning IOT transmitters is no longer supported by any transmitter manufacturer.)¹⁶

For simple upgrades (e.g., adding polarization to an antenna), calculating the price difference between comparable equipment and upgraded equipment will be completed by comparing a vendor's invoice (or price quote, when submitting cost estimates) for the upgraded equipment with a vendor price quote or Cost Catalog price for the comparable equipment. More complex scenarios will be assessed on a case-by-case basis, and the Fund Administrator may seek clarification or additional supporting documentation (e.g., review engineering and station plan).

Can a station be reimbursed for the cost of in-house labor?

Reimbursement for the cost of the salary of a Full Power/Class A internal employee for the time he or she works exclusively on tasks directly related to the station's channel change may be available. A station will have to submit documentation showing hourly rates, time spent on channel transition work, and other information as detailed in the question below that will allow the Fund Administrator, and any program auditors, to substantiate the cost incurred by the station.

What documentation is required when seeking reimbursement for in-house labor?¹⁷

For internal labor costs to be reimbursable, they must be entirely related to the Full Power/Class A station or MVPD's transition efforts, (e.g., the costs would not have been incurred "but for" the repacking process). Normal system maintenance and administration activities are not reimbursable. All internal labor costs that an entity expects to incur in conjunction with the repack and for which it intends to seek reimbursement must be included in its cost estimate.

When filing cost estimates, internal labor costs should be estimated on a "per hour" basis for

¹⁶ Updated October 3, 2019

¹⁷ Added June 30, 2017

each repacking task. The cost estimate for each task will equal the estimate of the total hours per task multiplied by the “per hour” internal labor rate, which may include salary, benefits, and overhead allocations.

If a Full Power/Class A station or MVPD’s cost estimate includes internal labor costs, it should upload the following supporting documentation to its estimate:

- A listing of the tasks it expects to perform during the repack, including the estimated hours per task, the internal labor rate to be applied, and the total dollar amount for the task; and
- A breakdown of how each internal labor rate is calculated, showing the salary, benefits, and overhead amounts.

In its review and assignment of an allocation, the Media Bureau will exercise its discretion in determining the reasonableness of hours and/or labor rates.

When submitting actual costs for reimbursement for internal labor, a Full Power/Class A station or MVPD should provide the following documents (in place of an invoice from a third-party vendor):

- A report listing the hours incurred for each repacking task, the applicable labor rate, and the resulting dollar cost; and
- Copies of employee timesheets showing hours worked on each repacking task, by day. Timesheet hours must match the totals reported by the task above. Timesheets may come from either the Full Power/Class A station’s time and expense reporting systems or can be manually prepared using spreadsheets or other means.

During the reimbursement period or at account closing, the Fund Administrator and/or Media Bureau may request additional supporting information for internal labor costs, such as payroll, human resources, or financial records.

Are interim facilities reimbursable?

Yes, if a Full Power/Class A station requires interim facilities (*e.g.*, interim transmitter, transmission line, antenna) to meet its construction deadline or avoid prolonged off-air periods during the transition to its assigned post-auction channel, the interim facilities are reimbursable. Full Power/Class A interim facilities may be used on either a station’s pre- or post-auction channel. Full Power/Class A stations using interim facilities must file a Special Temporary Authority (STA) for the interim facility. By way of example, Full Power/Class A stations might use interim facilities in the following situations:

- A station with a top-mounted antenna may need to run a side-mounted antenna.
- A station with an antenna at “X” feet on a tower may need to operate at “Y” feet temporarily.
- A station may need to operate with an antenna mounted on a different tower while it finishes mounting final facilities on its current tower or a new tower.
- A station may need to operate on a different channel with different facilities than its final channel or facilities.

- A station should use its licensed auxiliary or backup facility as its main facility while it finishes final facilities.

If the increased load of an interim antenna requires that a tower be modified, are the tower modifications reimbursable?

If the Full Power/Class A interim facilities are otherwise deemed reimbursable, the reasonably incurred costs associated with tower modifications required to support an interim antenna will also be reimbursable.

Can a Full Power/Class A station convert its interim facility into a licensed auxiliary facility?

Yes, Full Power/Class A interim facilities used during a station's channel transition can be used as auxiliary, or backup, facilities following the transition. The Full Power/Class A station will be responsible for the cost of filing any licensing documentation needed to convert the interim facility into a licensed auxiliary.

Is construction of a new tower reimbursable?

If a structural analysis of a tower concludes that the tower cannot be reinforced to support a new antenna, the Full Power/Class A station should determine whether there are other options available besides constructing a new tower that will allow it to complete its channel move by its transition deadline. Any repacked Full Power/Class A station seeking reimbursement for tower construction will be required to submit documentation, such as a statement signed and with the seal of an accredited structural engineer certifying the results of the tower study, with the cost to erect a new tower. All claimed expenses are subject to review and documentation to ensure that each expense is consistent with the "reasonably incurred" standard.

***Are incidental items or materials that have residual value purchased by a station or MVPD reimbursable?*¹⁸**

Entities may request reimbursement for items that have a residual value or useful life that exceeds the repack construction timeline if those items relate directly to the installation of the new plant necessary to transmit on the new frequency. Otherwise, incidental items and materials are not reimbursable.

***Can I be reimbursed for vendor travel expenses? If so, how should I submit travel expenses for reimbursement?*¹⁹**

Vendor travel expenses (e.g., meals, airfare, mileage) not included in a vendor's rates are eligible for reimbursement provided they are reasonable. All stand-alone travel expenses submitted for reimbursement must be itemized. Consistent with IRS guidelines, you must also submit *receipts* for any travel expense greater than \$75.00. As such, please include receipts for travel expenses as an attachment to the particular cost component on the Form 399 with which the travel expense is associated, in addition to the underlying invoice for the service rendered.

¹⁸ Added December 20, 2017

¹⁹ Added February 12, 2018

Alternatively, expenses for meals and incidentals can be billed on a per diem basis. The per diem amount should be in accordance with the approved government per diem rates in effect with the work was performed (available at the [GSA website](#)) for the location where the work was completed.

Can co-tenants sharing a tower with a repacked Full Power/Class A station, such as FM stations or non-repacked television stations, receive reimbursement for any expenses they incur as a result of the repacked station's transition?

Congress provided directive in the 2018 Reimbursement Expansion Act (REA) that FCC reimburse certain Low Power Television (LPTV) and television translator (TV translator) stations (together LPTV/translator stations), and FM broadcast stations (FM stations), for costs incurred as a result of the Commission's broadcast television spectrum incentive auction. In REA, Congress provided additional funding for the TV Broadcaster Relocation Fund (Reimbursement Fund) and expanded the list of entities eligible to receive reimbursement for costs reasonably incurred as a result of the reorganization of broadcast television spectrum to include LPTV/translator and FM stations.²⁰

Non-repacked TV stations that are co-tenants with a repacked Full Power/Class A station that and are affected by the repack generally are not eligible to be reimbursed from the TV Broadcaster Relocation Fund. An exception will be made if the repacked station has contractual obligations to pay for those types of expenses.

Are costs associated with digital replacement translators (DRTs) reimbursable?²¹

Analog-to-digital replacement translators (DRTs) may be eligible for reimbursement pursuant to the REA, provided they meet the criteria outlined in the LPTV/TV translator eligibility requirements.

Are costs associated with distributed transmission systems (DTS) reimbursable?

A repacked Full Power/Class A station using DTS technology on its pre-auction channel will be eligible for reimbursement for a DTS.

How should stations submit reimbursement claims for shared costs?

Any time a station shares equipment with another entity it must indicate on the Reimbursement Form that the equipment, such as a tower or a broadband antenna, is shared and must provide the Facility ID of the sharing station or stations. If the co-sharing stations are all reimbursement-eligible, the stations must indicate the percentage of the cost attributed to each station on their respective Reimbursement Form submissions. If a reimbursement-eligible station is sharing equipment with a non-eligible entity (e.g., non-repacked television station), it must indicate the percentage of the expense for which it owes the vendor. Eligible Full Power/Class A stations may not claim reimbursement for costs attributed to non-reimbursement-eligible entities unless the Full Power/Class A eligible station has a contractual obligation to pay such expenses and the contract was entered on, or before, June 2, 2014.

²⁰ Added July 10, 2017

²¹ Updated April 7, 2020

How should a station account for replacing an Inductive Output Tube (IOT) transmitter with a solid state transmitter?

Manufacturers no longer re-tune IOT transmitters. The replacement of an IOT transmitter with a solid state transmitter with the minimum output power (standard combination of power amplifier modules offered by the manufacturer) necessary to achieve the power output identified for the station in the CCPRN will not be considered an upgrade.²² Please note that at the time the reimbursement program began, re-tuning was available and at that time stations were required to obtain a quote for retuning. That is no longer required.

***What type of documentation is required to replace an IOT transmitter with a solid state transmitter?*²³**

Because manufacturers are no longer re-tuning IOT transmitters, replacing an IOT transmitter with a solid-state transmitter with the minimum output power (standard combination of power amplifier modules offered by the manufacturer) necessary to achieve the power output identified for the station in the CCPRN will not be considered an upgrade. Please note that at the time the reimbursement program began, re-tuning was available and at that time stations changing from IOT transmitters to a solid state transmitter were required to check the upgrade box when submitting an estimate and are no longer required to obtain a quote for retuning.²⁴ That process is no longer required. Instead, a quote for a solid state transmitter with comparable output power will be acceptable.

***How much transmitter power is reimbursable?*²⁵**

Stations can be reimbursed for expenses reasonably incurred in the construction of the technical facility identified for the station in the CCRPN. A station seeking reimbursement for a new transmitter should file an estimate for a transmitter sized to accommodate the transmitter power output (TPO) required to achieve the Effective Radiated Power (ERP) and coverage specified in the CCRPN. Manufacturers specify solid state transmitter capacity based on various combinations of power amplifier modules. The transmitter for which a station will be reimbursed is the minimum standard combination of power amplifier modules offered by the manufacturer necessary to achieve the power output identified for the station in the CCRPN. In some circumstances, stations with excess power capacity can request reimbursement for a higher power-level transmitter (see below).

***If a Full Power/Class A station currently has more transmitter capacity (headroom) than is required for its licensed transmitter power output (TPO), can it be reimbursed for a new transmitter with extra headroom?*²⁶**

If a Full Power/Class A station can demonstrate that it has pre-auction excess transmitter

²² Updated October 3, 2019

²³ Added June 30, 2017

²⁴ Updated October 3, 2019

²⁵ Added June 30, 2017

²⁶ Added June 30, 2017

capacity (headroom), and this headroom can't be accommodated within the minimum standard combination of power amplifier modules offered by the manufacturer necessary to achieve the power output identified for the station in the CCRPN, the station may request a one power-level step increase in transmitter size.

Requests for a one power-level step increase in transmitter size will be evaluated on a case-by-case basis to determine whether they meet the "reasonably incurred" standard.

How should a Full Power/Class A station request a power-level step increase on its Reimbursement Form?²⁷

A Full Power/Class A station seeking reimbursement for a new transmitter with capacity above its post-auction licensed TPO should report the TPO and power rating of its pre-auction transmitter in the justification field in the "Transmitter" section of the Reimbursement Form. Full Power/Class A stations can also upload an explanation as an attachment to explain why reimbursement for additional headroom is appropriate based on their pre-auction transmitter capacity.

Can a Full Power/Class A station buy a transmitter with more power than is necessary to satisfy the parameters of the CCRPN assigned facility and pay the excess cost differential?²⁸

Yes. As with any request for upgraded equipment, Full Power/Class A stations can purchase additional capacity above that considered reimbursable. Full Power/Class A stations requesting additional transmitter power capacity must indicate they are purchasing upgraded equipment and must submit a quote for the equivalent reimbursable transmitter as well as a quote for the upgraded transmitter. Both quotes must be from the same manufacturer to be adequately compared.

A Full Power/Class A station with pre-auction excess headroom that is moving from an IOT transmitter to a solid state transmitter seeking to purchase additional capacity is making an upgrade with respect to transmitter power beyond the next step power-level, and therefore, must provide a supporting price quotes for the comparable equipment related to the upgrade (*e.g.*, a price quote for the solid state transmitter at the TPO power-level required to achieve the ERP and coverage specified in the CCRPN).

Under what circumstances is new transmission line reimbursable?²⁹

New transmission line is reimbursable if a Full Power/Class A broadcaster's existing rigid line section length is a prohibited length on the new channel. See the updated Catalog of Potential Expenses and Estimated Costs (Cost Catalog) in DA-19-611A2 for Prohibited Line Lengths. In addition, reimbursement for new transmission line may be warranted if it is needed to connect a transmitter to an interim antenna, if the existing transmission line will not accommodate the rated power output of the Full Power/Class A broadcaster's transmitter on the new channel, or if additional transmission line is needed to add to existing line to extend it if a new antenna is mounted higher on the tower than the original antenna.

Ordinarily, new replacement transmission line would not be reimbursed if a Full Power/Class A

²⁷ Added June 30, 2017

²⁸ Added June 30, 2017

²⁹ Added June 30, 2017

broadcaster's current transmission line will accommodate the rated power output of the new transmitter, or because the existing transmission line is aged and needs replacing as a normal course of business.

*Is elliptical or circular polarization an antenna upgrade?*³⁰

Additional vertical polarization for an E-pol or C-pol antenna is not an upgrade, if the station's previously-licensed antenna was E-pol or C-pol. If the previously-licensed antenna was horizontally polarized, the additional vertical polarization is an upgrade. The station should provide a manufacturer's quote for the baseline H-pol antenna, along with the additional cost for the upgrade.

*Is moving from a side-mounted antenna to a top-mounted antenna considered an upgrade?*³¹

Generally, yes, Full Power/Class A stations that currently have their main antenna side-mounted but wish to purchase a top-mounted antenna should indicate they are making an upgrade by checking the upgrade box in the antenna section of the Reimbursement Form. The difference between the cost of the top-mounted antenna and a comparable side-mounted antenna is the upgrade amount, which is not reimbursable but must be paid for by the Full Power/Class A station. The Full Power/Class A station must provide a price quote from the antenna vendor that shows what a comparable side-mounted antenna would cost to calculate the upgrade amount.

If, however, a Full Power/Class A station can demonstrate the total cost of purchasing and installing a top-mounted antenna is lower than purchasing and installing a side-mount antenna, the lower-priced option can be reimbursed. In this situation, the Fund Administrator may request additional documentation to support approving reimbursement for the full cost of a top-mounted antenna.

*Can Full Power/Class A stations and MVPDs include contingency amounts to their estimates?*³²

No, contingency amounts will not be accepted as part of a Full Power/Class A station or MVPD's cost estimate submission. Entities can revise their cost estimates if they learn of additional expenses or higher costs than previously submitted.

*Can a Full Power/Class A station be reimbursed for expenses incurred to multicast two signals on its pre- and post-auction channels at the same time during the equipment testing period?*³³

No, the testing period is intended to allow stations to test newly constructed facilities in advance of cutting over to post-auction channels, not to simultaneously broadcast on pre- and post-auction channels for any extended period. Unlike in the DTV transition, stations changing channels in the post-auction transition will not be operating simultaneously on two channels for

³⁰ Added April 7, 2020

³¹ Added June 30, 2017

³² Added June 30, 2017

³³ Added July 24, 2018

an extended period. Therefore, expenses for equipment or services needed to simulcast during the testing period are not considered reimbursable.

*Are a microwave link or studio transmitter link (STL) reimbursable expenses?*³⁴

Costs incurred to replace microwave links or STLs are generally not reimbursable because these expenses are not the result of a Full Power/Class A station's reassignment to a new, post-auction channel. Instead, both stations that are repacked and stations remaining on their pre-auction channel, may need to replace STLs and wireless microphones because they operate on part of the 600 MHz band that is no longer available to television broadcasters. In addition, a second microwave path to simulcast on the pre- and post-auction channel would not be reimbursable (see above). Requests for reimbursement of a microwave link or STL needed to operate Full Power/Class A interim facilities will be reviewed for reasonableness on a case-by-case basis.

*Are expenses related to financing a line of credit or bridge loan reimbursable?*³⁵

If a Full Power/Class A station has drawn down the full amount of its allocation and requires additional funding before the next allocation, the costs associated with opening a line of credit or taking a loan may be reimbursable. We do not expect many stations will require financing, given the Commission has allocated 92.5% of each entity's verified estimated costs, and Congress has made available \$2.75 billion in funding over the next several years. Origination fees incurred prior to April 16, 2018 (the date of the second allocation) associated with financing vehicles directly related to the program will be examined on a case-by-case basis. All other charges, including but not limited to, ongoing commitment fees and accrued interest, carry a rebuttable presumption of being unreasonable and accordingly, will not be reimbursed from the TV Broadcaster Relocation Fund.

Submitting Invoices

*Can I still revise my Cost Estimate(s)?*³⁶

Yes, you may — and indeed, should — revise your Cost Estimate(s) on the Form 399 as often as necessary during the reimbursement period to accurately reflect your plans and incurred expenses.

Revise the submitted Form 399 in the same manner you originally completed the Form 399. Simply access and edit the same Form 399 you previously completed at the estimates stage and (re)certify and (re)submit the Form 399 when you've finished.

*When can I submit actuals?*³⁷

Submit documentation for your actual costs at any time after you incur a reimbursable expense.

³⁴ Added July 24, 2018

³⁵ Added July 24, 2018

³⁶ Added December 20, 2017

³⁷ Added December 20, 2017

*Do I need to revise my Cost Estimate if my actual cost exceeds the previously verified amount?*³⁸

In some cases, entities may be required to submit a revised Cost Estimate documenting the rationale for increased costs before a claim in excess of a previously verified amount will be considered. Entities will be notified by the Fund Administrator if a revision is required. Reimbursement will not be made in excess of an entity's available allocation amount. Any subsequent revision(s) will be evaluated and, if assessed as reasonable, reflected in future allocations. Claims exceeding the available allocation will still be reviewed for reasonableness but will be held for payment until a subsequent allocation is made.

You may also be asked to provide details on the variance and rationale for increased costs.

*If an element of the verified cost estimate (transmitter, antenna, professional services, etc.) was based on the cost catalog price, does the entity need to submit a copy of the vendor quote when requesting reimbursement?*³⁹

In general, the entity should submit a copy of the vendor quote, or a copy of its purchase order to the vendor, when requesting reimbursement for any repack related cost for which the estimated cost was based on the Cost Catalog. If the entity does not or cannot provide a copy of the vendor quote or a copy of its purchase order to the vendor, the entity should provide an explanation along with its request for reimbursement.

*What supporting detail is required for reimbursement of expenses?*⁴⁰

All requests for reimbursement must be accompanied by documentation of the expense incurred, such as an invoice, receipt, or other supporting documentation that explains the nature and cost of the expense. Vendor equipment and services must be accompanied by an invoice. Note that the Cost Catalog (and its associated prices) may not be used as documentation of an incurred expense.

What supporting detail is required for reimbursement of professional services?

Requests for reimbursement for professional services must be accompanied by a supporting vendor invoice that clearly identifies the period during which services were performed.

- *Time and Material Billing.* For services performed on a "time and materials" basis, the invoice must identify the individual(s) who completed the work, specify the hours and dates worked by the Individual(s), the associated rate(s) per hour, and a description of the activities performed by each person included in the invoice. Note that project management services must be billed as time and materials and not as fixed fee.
- *Fixed Fee Billing.* For professional services in which the underlying vendor invoice is billed to an entity as a fixed fee, in addition to the vendor invoice, the entity must submit a copy of the vendor quote that provides a cost and activity "build-up" to support the

³⁸ Added December 20, 2017

³⁹ Added December 20, 2017

⁴⁰ Added December 20, 2017

fixed fee. Fixed fee invoices must specify the time period covered by the invoice, a description of the services rendered, and the amount due. Note that project management services must be billed as time and materials and not as fixed fee.

Navigating LMS and Form 399, Troubleshooting, and Invoice Issues

A [tutorial video](#) is posted to the reimbursement website that illustrates how to upload cost documentation and describe actual expenses on the Form 399. The video, entitled *Documenting Actual Reimbursement Costs & Uploading Invoices to Your Form 399*, walks through two examples, submitting Form 399 using an invoice for a reasonably incurred cost pertaining to two separate line items. It is available on the reimbursement [website](#) under the “Tutorial Videos” tab, along with several other instructional videos about the Form 399.⁴¹

How do I access a previously submitted Form 399?⁴²

- Via the “Submitted” Applications Tab in LMS: To access a submitted Form 399, either for the first time since the estimates stage or after having previously submitted a batch of invoices, simply log in to LMS and click the “Submitted” tab. Next, click on the file number associated with the Form 399 for which you will be documenting expenses. On the next screen, click on the blue “File an Application” button. From the drop-down menu click “Continue to your 399.” You will then be taken to your previously submitted Form 399 and can make edits and attach cost documentation.
- Via the “Saved” Applications Tab in LMS: If you have already accessed, but not submitted, Form 399, it will be listed under the “Saved” applications tab in LMS. Click on the “Saved” application tab. After clicking on the Form 399’s file number, you will be taken directly to it.

Make sure you confirm the application you are working with corresponds to the correct Facility ID. If not, simply select the correct Facility ID from the dropdown menu. For troubleshooting, please call the reimbursement line at (202) 418-2009 or e-mail the Reimbursement Team at reimburse@fcc.gov.

Why am I receiving a red error message in the Cost Section when I hit the “Save and Continue” button to navigate to the next page of the Cost Section?⁴³

The red error message itself will generally tell you exactly what information needs to be corrected. The most common error message indicates you cannot advance to the next cost section because certain “estimates are missing.” To resolve this problem, make sure every entry under the “Estimates” column in the Cost Section has a numeric value entered (and does not still say “Add”). You can enter the “Predetermined Cost Estimate” value, an individual cost estimate, or you can enter “\$0.00” in that field (and revise it later with a specific value) to

⁴¹ Added December 20, 2017

⁴² Added December 20, 2017

⁴³ Added December 20, 2017

continue. After you confirm no entry says “Add,” you will be able to proceed to the next equipment category in the Cost Section page by clicking the “Save and Continue” button.

Why am I receiving a red error message in the Add Component Section saying that I have entered an “Invalid Value?”⁴⁴

The “Invalid Value Entered” error message indicates punctuation or symbols such as the ampersand (&) have been entered in the “Vendor Name” field. Spell out the symbol (*e.g.*, “&” as “and”) instead of using a symbol or remove all of the punctuation. For troubleshooting, please call the Reimbursement Team for assistance at (202) 418-2009 or e-mail us reimburse@fcc.gov.

Can I verify my Form 399 was properly submitted?⁴⁵

To ensure you have properly submitted and certified your Form 399 search for the application filing in the public LMS system, which is available here:

<https://enterpriseefiling.fcc.gov/dataentry/public/tv/publicAppSearch.html>

From the Application Search page, indicate the purpose of the application you are searching for (*e.g.*, “FORM 399”) and search for your submitted Form 399 by Facility ID, Call Sign, or Date Range, among other category fields. See screenshot below.

⁴⁴ Added December 20, 2017

⁴⁵ Added December 20, 2017

Can I add all of my invoices as one attachment and refer to the same attachment for every cost component?⁴⁶

No. While any one invoice may contain several discrete line items, or cost components, for the various reimbursable expenses you have incurred from a vendor, each invoice attached to a particular cost component must pertain to that cost component.

Can I use the same invoice across multiple cost categories?⁴⁷

Yes. You can use the same invoice for line items across multiple cost categories. To do this, add the invoice to the cost component and note what percentage or dollar amount of the invoice applies to that discrete cost component on the “Add Component” page pertaining to the expense. For each additional cost component listed on the same invoice, select the invoice that you previously uploaded from the dropdown list in the “Add Component” screen and indicate what percentage or dollar amount of the invoice is represented by that cost component.

⁴⁶ Added December 20, 2017

⁴⁷ Added December 20, 2017

What should I put in the “Vendor EIN” field if my invoice or receipt does not have an EIN or TIN number associated with it and I can’t easily obtain one for the vendor?⁴⁸

If possible, obtain a vendor’s EIN or TIN number to expedite the invoice review process. If the invoice or receipt does not identify the vendor’s EIN or TIN number and you cannot readily obtain the vendor’s EIN or TIN number (e.g., the materials were purchased at a retail store), you may use your station’s or MVPD’s EIN/TIN number.

Under what circumstances should I provide the dollar amount of the invoice I am requesting reimbursement for rather than the percentage, and vice-versa, on the “Add Component” page within the Cost Section?⁴⁹

This feature exists to facilitate your identification of the reimbursement amount you are requesting; the manner of presenting the amount is up to you. This feature may be useful when submitting invoices containing multiple line items or when specifying the reimbursable cost on an invoice for upgraded equipment.

My saved Form 399 is incorrect and/or inconsistent with what I previously submitted—what happened, and how do I fix it?⁵⁰

If your saved Form 399 (accessed via the “Saved” Applications tab in LMS) is inaccurate and you would like to continue with your last submitted Form 399, delete the Form 399 located under the “Saved” tab in LMS, and then access the Submitted Form 399 to start anew. Deleting the saved Form 399 is a necessary predicate to accessing the previously submitted Form 399. Before doing so, make sure your submitted Form 399 has the accurate information. For troubleshooting, please call the Reimbursement Team for assistance at (202) 418-2009 or e-mail us reimburse@fcc.gov.

Why didn’t I receive the correspondence I expected regarding my reimbursement submission?⁵¹

To ensure you receive all correspondence relating to your entity’s reimbursement, be sure your “Reimbursement Contact” information in the Form 399 is accurate and up-to-date.

If you are still missing correspondence, check your spam, junk, and/or clutter folders to see if an e-mail was mistakenly diverted. If it was, you’ll want to add the sender to your “Safe Sender” list. Please consult your IT consultant for further assistance with this process.

If you believe you should have received reimbursement correspondence, but have not, you can check with the Reimbursement Team by calling the reimbursement line at (202) 418-2009 or e-mailing reimburse@fcc.gov.

⁴⁸ Added December 20, 2017

⁴⁹ Added December 20, 2017

⁵⁰ Added December 20, 2017

⁵¹ Added February 12, 2018

How can I avoid potentially disclosing attorney-client privileged information when submitting invoices for eligible legal expenses for reimbursement?⁵²

If an invoice for legal expenses contains attorney-client privileged information, you may redact the privileged information contained in billing narratives before submitting the invoice for reimbursement. Please provide an explanation that the redacted material consists of attorney-client privileged information. If a redaction renders the billing narrative insufficient for the Commission to evaluate the reasonableness of the charge, please also include a description of the work performed. If reviewers from the Fund Administrator or the FCC have any questions, they will contact your reimbursement contact for further information.

Are funds received through the Reimbursement Fund subject to audit?

Yes. Participants in the reimbursement program are subject to a variety of audits that could be conducted by various oversight bodies, including but not limited to, the FCC Office of Inspector General (OIG), Government Accountability Office (GAO), or U.S. Treasury. A station has an ongoing obligation to retain documentation supporting its requests for reimbursement for a period that extends 10 years after the date it receives its final payment from the Reimbursement Fund.

Where can I find more information about the Reimbursement Process?

Additional information can be found at www.fcc.gov/incentiveauctions/reimbursement. Questions can be submitted to reimburse@fcc.gov or call (202) 418-2009.

⁵² Added December 20, 2017